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DOCKET NO.: ISIS-4789 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#9

In Re Application of:

Manoharan et al.

Serial No.: 09/970,971 **Group Art Unit: Not yet assigned**

Filing Date: October 4, 2001 **Examiner: Not yet assigned**

For: OLIGONUCLEOTIDES HAVING A-DNA FORM AND B-DNA FORM CONFORMATIONAL GEOMETRY

DATE OF DEPOSIT: December 17, 2001

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

TYPED NAME: Emma R. Dailey
REGISTRATION NO.: 48,491

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first office action after the filing of request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐the first or ☐second After Final Submission, therefore:

☐ Certification in Accordance with §1.97(e) is attached; or

☐ The fee of **$180.00** as set forth in §1.17(p) is attached.

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with §1.97(e) is attached; or

☐ The fee of **$180.00** as set forth in §1.17(p) is attached.

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); and the submission fee of **$180.00** as set forth in §1.17(p).

☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☒ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☒ In view of the voluminous nature of references **ES-EV**, and the likelihood that these references were available to the Examiner, copies were not enclosed with the Information Disclosure Statement filed in Serial No. 09/303,586.

☒ In accordance with §1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C.§120 have been made in the instant application:

☒ Copies of references **AA-EV, GT-HO, IR-JC and JG** listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. 09/303,586, filed May 3, 1999. Copies of references **EW-GS, HP-IQ and JI** were previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. 08/936,166, filed September 23, 1997, now U.S. Patent No. 6,307,040.

☒ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Copies of newly cited references **JD-JF, JH and JJ** are enclosed herewith.

Serial No. 08/837,201 filed April 14, 1997; Serial No. 09/044,506 filed March 19, 1998 and Serial No. 09/062,416 filed April 17, 1998, were previously cited in the parent application Serial No. 09/303,586 filed May 3, 1999, and have now issued as U.S. Patent Nos. **5,985,558 (JD), 5,955,443 (JE) and 6,111,094 (JF)**, respectively.

Prior application Serial No. 08/936,166 filed September 23, 1997 is now U.S. Patent No. **6,307,040 (JJ)**.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

English language abstracts were provided for those listed references which are not in the English language.

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Form PTO-1449 Modified List of Patent and Publications Cited by Applicant (Use several sheets if necessary) U.S. Department of Commerce Patent and Trademark Office	Docket No. **ISIS-4789**	Serial No. **09/970,971**
	Applicant **Manoharan et al.**	
	Filing Date **October 4, 2001**	Group **Not yet assigned**

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EXAMINER	**DATE CONSIDERED**

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	Applicant **Manoharan et al.**	
	Filing Date **October 4, 2001**	Group **Not yet assigned**

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